

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ACCURIDE ERIE L.P., a limited  
partnership,

Case No. 05-CV-169 Erie

Plaintiff/Counterclaim Defendant,

Judge Sean J. McLaughlin

v.

INTERNATIONAL UNION, UNITED  
AUTOMOBILE, AEROSPACE &  
AGRICULTURAL IMPLEMENT WORKERS  
OF AMERICA, LOCAL UNION 1186,  
a voluntary unincorporated association,

Defendant/Counterclaim Plaintiff

and INTERNATIONAL UNION, UNITED  
AUTOMOBILE, AEROSPACE &  
AGRICULTURAL IMPLEMENT WORKERS  
OF AMERICA, UAW, a voluntary  
unincorporated association,

Counterclaim Plaintiff.

**PLAINTIFF/COUNTERCLAIM DEFENDANT, ACCURIDE ERIE L.P.'S**  
**MOTION FOR SUMMARY JUDGMENT**

AND NOW, comes the Plaintiff/Counterclaim Defendant, Accuride Erie, L.P. (“Accuride” or the “Company”), by and through its attorneys, Quinn Buseck Leemhuis Toohey and Kroto, Inc., and Ryley Carlock and Applewhite, and pursuant to Rule 56 of the *Federal Rules of Civil Procedure* and the Court’s Text Order dated January 5, 2006, hereby moves for summary judgment, as both the pleadings and discovery are closed and there being no material questions of fact in dispute, and requests that the Court vacate the arbitration award issued by Arbitrator Robert A. Creo dated April 26, 2005 (the “Award”) pursuant to Section 301 of the Labor Management Relations Act, 29 U.S.C. § 185. This Motion is supported by the Memorandum of Points and Authorities and the Concise Statement of Facts submitted

concurrently herewith, both of which are hereby incorporated by reference as if fully set forth below.

WHEREFORE, the Plaintiff, Accuride, respectfully requests that summary judgment be entered in its favor and that the Court vacate Arbitrator Creo's Award dated April 26, 2005.

DATED this 10<sup>th</sup> day of February, 2006.

QUINN, BUSECK, LEEMHUIS, TOOHEY  
& KROTO, INC.

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